

PROCEEDINGS AND DEBATE

23

IN

HOUSE OF REPRESENTATIVES,

ON THE

ELECTION OF SPEAKER, JANUARY 11, 1856.

The House was called to order by the Clerk at twelve o'clock, m.

Mr. CAMPBELL. I move, Mr. Clerk, that the resolution confining debate to ten minutes be suspended until next Wednesday, unless otherwise ordered by the House.

Mr. CLINGMAN, (interrupting.) I do not wish to interrupt the gentleman, or to take the floor from him for an instant; but I would ask him to modify his motion by adding to it a proviso that there shall be no voting until that time. The gentleman from Ohio will see the reason of this; it is, that those members who do not wish to take part in the debate may be at liberty to attend to the business of their constituents.

Mr. CAMPBELL. The gentleman from North Carolina [Mr. CLINGMAN] can move that as an amendment afterwards.

My reason, Mr. Clerk, for making this motion is, that on yesterday the House, by resolution, gave notice that "depositions" would be taken, to be used on the hearing of the "bills of discovery" in regard to "platforms." It is not possible for the honorable gentleman from Illinois, [Mr. RICHARDSON,] the honorable gentleman from Massachusetts, [Mr. BANKS,] and the honorable gentleman from Pennsylvania, [Mr. FULLER,] or any of the other gentlemen who are before the House as candidates for the speakership, to define their position in ten minutes. I do not know how far it is proposed to carry on this investigation—how far back we are to go, or to what extent the political platforms of this day or of past times are to be overhauled for repairs. I have never had a great deal of respect for platforms—never any unless my own judgment approved them.

Now, sir, I would inform the gentlemen who are to be interrogated, that I have here a scrap-book, which I tender to them for their use. It contains, I believe, all the political platforms that have been adopted since 1832; all those on the slavery question since 1840; I have here the platform of the Democratic party when the question of the annexation of Texas was before the country; the celebrated Nicholson letter platform in

1848; the platform of 1852 of both the political parties of this country, declaring that there should be "no agitation of the slavery question in Congress or out of it." I have also some more ancient platforms: I have the Buffalo and the Pittsburg platforms. I have those which are still more ancient: I have in my hand two platforms for which I have high regard—the Constitution of the United States and the Declaration of Independence. I would have had the Bible, with a view to refer those who are about to testify on the question of human slavery, particularly to a platform made in the mountain by the Savior of mankind, for the government of the conduct of men. I allude to Christ's sermon on the Mount; but I understand that that book is not to be had in the Congressional Library. I believe there was one copy of it there a long time ago, but it is said to have been removed to make room for the works of Eugene Sue.

I profess, Mr. Clerk, to stand politically on the two platforms I have first alluded to—the Constitution of the United States and the Declaration of Independence. In my intercourse with my fellow man I try, without success, to adhere to the platform last mentioned. I wish to make this suggestion to the Clerk, for the benefit of the gentlemen who are to be interrogated in reference to the twaddle contained in these party platforms—particularly to my friend from Illinois, [Mr. RICHARDSON,] that there should be a card placed over that chair during this investigation containing the wholesome warning found over the doors of railroad cars, "*It is dangerous to stand on the platform!*" [Laughter.] I make it particularly for the benefit of my friend from Illinois: "*It is dangerous to stand on the platform!*" which the Democratic party made at the time he was nominated. My personal esteem for that gentleman induces me to warn him, and the engineers of his train, of the impending danger. They are trying to make great speed upon a "*flat bar*" track, and there is danger of snake-heads!

It is well known, when testimony was last taken here by the honorable gentleman from Kentucky,

[Mr. Cox,] as to how the Democrats construed the Nebraska bill in the North and in the South, in reference to its effects on slavery, that it was shown most clearly that the southern Democrats made it mean one thing, and the northern Democrats an entirely different thing. If the gentleman stands upon that platform he will be in danger of a collision between these two Democratic trains, one running north and the other south upon the same party track. Mr. Clerk, in friendship, I give the gentleman and his friends, in advance, the benefit of this warning, "*It is dangerous to stand on the platform!*"

Mr. BARKSDALE. I should like to ask the gentleman from Ohio one question.

Mr. CAMPBELL. In my ten minutes I have not time to be interrogated and to answer. I merely wished to give notice at the start that I shall claim the right to put cross interrogatories to those witnesses who are to be questioned.

Mr. BARKSDALE. The gentleman says there is a difference in the construction of the Nebraska and Kansas platform among the Democrats North and South. Now, what I want to know is, whether there is any difference of opinion in reference to it in the Republican party?

Mr. CAMPBELL. I have made no inquiries of the Republican party on that point. I do not speak by authority for that party or any other. I will tell the gentleman what *I think* of the Nebraska act. I have ceased to speak for or be responsible for any person but myself. I regard it as one of the most iniquitous and unjust acts that ever passed by the vote of Congress—potent for evil, powerless for good results.

Mr. BARKSDALE. One giving the South the full measure of their rights, and nothing more. Does the gentleman object to that?

Mr. CAMPBELL. I speak for myself, and I have always said I am willing to give the South and their slaves their full rights, under the Constitution; nothing more—nothing more. My ten minutes have expired.

Mr. RICHARDSON obtained the floor.

Mr. ORR. I hope the gentleman from Illinois will suspend until we can have a vote upon the motion of the gentleman from Ohio, [Mr. CAMPBELL,] to suspend the ten-minute rule.

Mr. JONES, of Tennessee. I see no necessity for rescinding the ten-minute rule at all, for any particular length of time. I would suggest the propriety of suspending it so far as to allow those gentlemen for whom the House has been voting whatever time they may wish to answer such questions as may be propounded to them, or at least to answer the interrogatories addressed to them by my colleague, [Mr. ZOLLICOFFER.] That can be done without rescinding the rule generally. The House has voted that it is right that those gentlemen should answer these interrogatories, and I take it for granted the House will give them sufficient time to reply. I hope, therefore, that this rule will be suspended so far as the gentlemen who have been voted for by Speaker are concerned, in answering the questions that may be put to them; but no farther.

Mr. MILLSON. I trust the House will not suspend the rule limiting debate at all; and I am still more unwilling that the rule should be suspended for the reason assigned by the gentleman from Ohio, [Mr. CAMPBELL.] [A Voice: "That's

right!"] Sir, the House yesterday adopted a resolution, general, abstract in its terms, having no special application to any particular candidates for office, but simply declaring that, in the judgment of the members of this House, candidates for political offices ought to make known their opinions to those who are asked to vote for them. It has no special application to those gentlemen who have been voted for here as candidates for the post of Speaker.

I beg leave to say, with all due deference to other gentlemen, that I think the House would place itself in a somewhat undignified position by now suspending the rule for the express purpose of inviting those gentlemen for whom they have been voting for the last six weeks to explain their views.

Mr. CLINGMAN. I would suggest to the gentleman, that he move to lay the motion of the gentleman from Ohio on the table.

Mr. MILLSON. I shall presently do so. Mr. Clerk, this resolution, as I have said, is general in its terms. I did not vote for it as a special invitation to those gentlemen who are candidates for the position of Speaker, to address the House in explanation of their opinion, or to place them under any sort of obligation to do so. I am not willing that my vote, standing as it does in favor of that resolution, shall be so construed.

If those gentlemen desire to express their views, I have no objection; and I have no doubt that the House will acquiesce in their wishes, and afford them an opportunity of delivering their sentiments. But I think it is hardly consistent with the dignity of the House to invite those gentlemen to the stand, and to suspend this rule, under the idea that they desire to be heard, when no such desire has been intimated by any of them. I do not think the House may properly place them in that position.

If other gentlemen designed to give the resolution passed yesterday this special application, I certainly did not. If the candidates desire to speak, the House will, I am sure, readily afford them the opportunity. If questions are put to them, they can answer, or not, as they may think proper; but I do not think this House should resolve itself into a debating society, for the discussion of all possible subjects that can be brought before it.

Where is this debate to stop? What question may not be put to these gentlemen? If any gentleman should ask my friend from Illinois [Mr. RICHARDSON] whether he would be willing to recognize the Walker government in Nicaragua, it would be said not to be altogether impertinent, for the Speaker of the House is the fourth officer of the country, and in certain contingencies, would be called on to administer the executive duties of the Government. Then the question, though not pertinent to the duties of the Speaker's chair, would be pertinent to the duties which he might contingently be called on to execute in the event of vacancies in the offices of President, Vice President, and President of the Senate. Therefore, to test the sense of the House on the question, I move that the resolution submitted by the gentleman from Ohio be laid on the table.

Mr. RICHARDSON. I ask the gentleman from Virginia and the gentleman from Ohio to withdraw their several propositions. If it should

happen to be necessary, in order that gentlemen may answer the questions which are propounded to them, it will then be time enough to ask the House for the extension. So far as I am concerned, I now repeat what I said yesterday—that I am ready to reply to the questions which have been propounded by the gentleman from Tennessee, [Mr. ZOLLICOFFER.] If the propositions above mentioned are withdrawn, I think that I shall be able to conclude what I wish to say within the time allotted under the rule.

Mr. BINGHAM obtained the floor.

The CLERK. Debate is out of order; there is a proposition to lay on the table pending.

Mr. CAMPBELL, of Ohio. I have no objection to the withdrawal of my motion. I made the motion with a view to accommodate gentlemen. I have no idea, however, that my friend can travel over all the ground embraced by those questions in ten minutes.

Several MEMBERS. If not, we can then extend the time.

Mr. CAMPBELL. I withdraw my motion.

Mr. BINGHAM. Before the gentleman from Illinois, [Mr. RICHARDSON,] or any other of the candidates for Speaker, shall proceed to answer the interrogatories of the gentleman from Tennessee, [Mr. ZOLLICOFFER,] I desire to put some questions to the honorable gentleman from Illinois, [Mr. RICHARDSON,] and to which I hope to receive explicit answers from that gentleman, as also from the other candidates now before the House. In presenting these interrogatories, I desire to raise no capricious objections to the sentiments of the honorable gentleman from Illinois, but to ascertain distinctly and clearly what sense that gentleman attaches to the terms used in his platform, to wit: "the principles of the Kansas-Nebraska act;" also, the sense he attaches to those other words, "squatter sovereignty," upon which the changes have been rung for the last two years from one end of the land to the other; and especially the effect he gives to the term "nationality," which has been used so often, and with such emphasis, in this Hall, by that gentleman and his party? I, too, have some reverence for nationality, but it is the nationality which springs from that unity of Government which constitutes us one people; and that I may know precisely the honorable gentleman's views of nationality, I beg leave to present to him the following interrogatories:

I. Do you hold that the Constitution of the United States extends to, and is of full force within, the several Territories thereof?

II. Do you hold that the people of any of said Territories have the right to make any law within said Territories, whereby any person therein shall be deprived "of life or liberty," except as punishment for crime on due conviction?

III. Do you hold that the people of the Territory of Kansas have the right, under the Constitution, to prohibit slavery within said Territory at all times, both before and after their organization into a State?

IV. Do you hold that the people of said Territory, under the Constitution, have the power and the right to legalize slavery within said Territory by legislative enactment; and the further power and right thereby to protect and maintain slavery therein, by making it a penal offense for

any person within said Territory to speak or write against such system, or to aid or assist any man held as a slave within said Territory to escape therefrom, with the intent to secure the personal liberty of such slave?

V. Do you hold that, under the Constitution, a person held to service or labor within said Territory, escaping therefrom into any State of this Union, can be reclaimed under the fugitive slave law, or is such person within the extradition clause of the second section of article four of the Constitution?

VI. Under the Constitution of the United States, can the people of any of its Territories rightfully or legally establish any but a republican form of government therein? and do you hold that to be a republican government which converts the majority of its subjects into chattels, and subjects them to the absolute despotism of the minority?

These, sir, are the questions which I put to the honorable gentleman, and to each of which I hope to receive from that gentleman direct answers. I will not further detain the House.

Mr. BOYCE. I will also read to the House some interrogatories which I would be glad to have the gentleman from Massachusetts [Mr. BANKS] answer. They are these: Are you in favor of restoring the Missouri restriction, or do you go for the entire prohibition of slavery in all the Territories of the United States? Are you in favor of abolishing slavery in the District of Columbia of the United States, and the United States forts, dock-yards, &c.? Do you believe in the equality of the white and black races in the United States; and do you wish to promote that political equality by legislation? Are you in favor of the entire exclusion of adopted citizens and Roman Catholics from office? Do you favor the same modification of the tariff now that you did at the last session of Congress?

Mr. RICHARDSON obtained the floor.

Mr. HUMPHREY MARSHALL. The gentleman will excuse me a moment. There must be several more batches of these interrogatories, and I think that it would be better for gentlemen to file them with the Clerk, and to allow the candidates to reply to them in a publication at any time; for instance, at their own convenience. [Laughter.]

Mr. RICHARDSON. Am I entitled to the floor?

The CLERK. The gentleman from Illinois was recognized by the Clerk.

Mr. RICHARDSON. Mr. Clerk, gentlemen have chosen, by written interrogatories, to inquire into the political opinions of gentlemen who have been voted for upon this floor in relation to questions past, present, and future. I know not, and, care not, whether the object is discussion here or discussion somewhere else. I hold them to the issues presented to me, and I shall endeavor to answer their questions as fully, freely, and frankly as may be possible.

I now send to the Clerk's desk the questions which have been propounded to me, and I ask that the first of them may be read.

The Clerk read the first question, as follows:

Question propounded by Mr. ZOLLICOFFER to Mr. RICHARDSON.

"Am I right in supposing that the gentleman from Illinois [Mr. RICHARDSON] regards the Kansas-Nebraska bill as promotive of the formation of free States in the Territories of Kansas and Nebraska?"

Mr. RICHARDSON. In reply to the first question of the gentleman from Tennessee, [Mr. ZOLLICOFFER,] I have to say I voted for the bills organizing the Territories of Nebraska and Kansas because I thought them just to all, and I defended that vote before my constituents upon that ground. I intended then, and I intend now, that the people who go there, or who have gone there, shall decide the question of slavery for themselves, and so far as I could, admit them as States, with or without slavery, as the people should decide. In common with northern and southern gentlemen, I have said that, in my opinion, slavery would never go there; but I have never, here or elsewhere, urged that as a reason why I voted for that bill. I voted for the bill because it was just, right, and proper, and wanted nothing more to defend myself. I repeat here an argument I have made over and over again before my constituents, and it is this: if a majority of the people of Kansas or Nebraska are in favor of slavery, they will have it; if a majority are opposed to it, then they will not have it. This is the practical result of every theory advocated by the friends of the Nebraska and Kansas bill. I gave my sanction to this principle in supporting the territorial bills of 1850, and have uniformly supported the same principles since, whenever presented for my action, and shall continue to do so in all future cases that may arise. It is a principle lying at the foundation of all popular Governments, that the people of each separate or distinct community shall decide for themselves the nature and character of the institutions under which they shall live, and by this principle I am prepared to live and die. I therefore voted for the Nebraska and Kansas bill neither as a pro-slavery nor anti-slavery measure, but as a measure of equal right and justice to the people of all sections of our common country.

Will the Clerk now read the next question?

The Clerk read the second question, as follows:

"Am I right in supposing that he advocates the constitutional provision of the Wilmot proviso? that in 1850, he opposed its application to the Territories acquired from Mexico only upon the ground that it was unnecessary, inasmuch as the Mexican laws in those Territories already abolished slavery, which ought to be sufficient for all Free Soil men? and that he committed himself to the position, that if territorial bills (silent upon the subject of slavery, and leaving the Mexican laws in operation) were defeated, he would vote for bills with the Wilmot proviso in them?"

Mr. RICHARDSON. The next question requires a more extended reply. In the year 1803 we acquired Louisiana; it was slave territory. In 1820 we divided, by line of $36^{\circ} 30'$, that territory, north of the line was to be free. In 1845 we annexed Texas; that was slave territory; we divided that by extending the line of $36^{\circ} 30'$ through that—north, to be free. In 1848 we acquired territory from Mexico. That was free. I voted repeatedly to extend the same line west to the Pacific ocean. I voted for that line with a few Representatives from the North, and the whole body of southern Representatives. When I gave those votes, I did not believe then, nor do I believe now, that I violated the Constitution of the United States. If you have power, under the Constitution, to exclude slavery from half of a territory, I think you have power to exclude from all, though such an exercise would be unjust and wrong. I have never, therefore, voted

to exercise that power, except upon the principle of compromise. In this connection I desire to read from a speech of mine, delivered in this Hall April 3, 1850, and make a word or two of comment upon it:

"There is, I regret to say, a willingness upon the part of the Democrats of the North to see this proviso passed, that General Taylor may be compelled to show to the world, and 'the rest of mankind,' who was cheated in the last presidential election—whether it was his friends North or South. They know that a fraud was practiced upon the one or the other. They know that in the South, General Taylor was represented as all that any one in favor of slavery extension could desire—that he was homed to southern institutions by two hundred bonds. At the North, it was said that he was for confining slavery to its present limits. One or the other was cheated. But I submit to my northern friends, if the peace and harmony of twenty millions of people, and the perpetuity of our free institutions, is not of more importance than the exposure of this bad faith upon the part of an Administration that, if let alone, will fall by its own weight? The public voice everywhere indicates its certain and inevitable overthrow.

"In times past our policy sooner or later has prevailed, and we should stand firm, however dark the hour, encouraged by former success. We should not be driven from our positions because our opponents have to come to them for safety. I might ask them if they are to be driven from their firm and stern opposition to a United States bank, because those who once thought that again ruin would lay waste the land unless such an institution was incorporated, have changed their opinions, and stand with us in opposition? Are they willing to be driven in opposition to the independent treasury, because those who once opposed now support it? Are you to be driven from all the past, now triumphantly vindicated, because opposition has ceased? We should stand firm in the support of right, truth, the Constitution of our country, no matter who shall come to their support, or desert; stand by them to the last, and if they fall let us perish with them. We should never survive the existence of this Government.

"There is one thing that I wish, in this connection, Mr. Chairman, to say to the gentlemen from the South, and the northern Whigs: if the bill for territorial governments, silent upon the subject of slavery, shall be defeated, then I am for bills with the Wilmot proviso, in order to give governments to the people in the Territories; and I speak for four of my colleagues, assured that they will feel constrained to pursue a like course. And if General Taylor shall approve the proviso, then it will have passed; and it is for them to determine what shall or shall not be done, and let the responsibility rest with them."

I take this occasion to say, that the sentiment last quoted, uttered in a moment of excitement, I, upon reflection, repudiate as unjust and improper. I thank the gentleman that he has afforded me the opportunity to give this public expression of my disapproval of that statement. I uniformly voted against placing the Wilmot proviso in any territorial bill. I voted against it, because I believed it to be unjust to the people of a portion of this Union.

The Clerk then read the third interrogatory, as follows:

"Am I right in supposing that his theory is, that the Constitution of the United States does not carry slavery to, and protect it in, the Territories of the United States? That in the territory acquired from Mexico and France, (including Kansas and Nebraska,) the Missouri restriction was necessary to make the territory free, because slavery existed there under France at the time of the acquisition; but that the Kansas and Nebraska bill, which repeals that restriction, but neither legalizes slavery into those Territories nor excludes it therefrom, in his opinion, leaves those Territories without either local or constitutional protection against slavery; and that therefore the Kansas and Nebraska bill promotes the formation of slave States in Kansas and Nebraska?"

Mr. RICHARDSON. The Constitution does not, in my opinion, carry the institutions of any of the States into the Territories; but it affords the same protection there to the institutions of

one State as of another. The citizen of Virginia is as much entitled, in the common territory, to the protection of his property, under the Constitution, as the citizen of Illinois; but both are dependent upon the legislation of the territorial government for laws to protect their property, of whatever kind it may be. Thus, it will be seen, that though there may be upon this point a difference theoretically—involving questions for judicial decision—yet there is none, practically, among the friends of non-intervention by Congress, as the practical result is to place the decision of the questions in the hands of those who are most deeply interested in its solution, namely, the people of the Territory, who have made it their home, and whose interests are the most deeply involved in the character of the institutions under which they are to live. If this great principle of non-intervention and self-government is wrong, then, indeed, the American Revolution was fought in vain, and it is time we cease to venerate the memory of the patriotic dead, who purchased with their fortunes and blood the free institutions of the several separate, independent, and coequal States, forming the Union under which we have so prosperously and happily grown to be so great.

Mr. ZOLLICOFFER. I ask the indulgence of the House to state the reasons why I propounded those questions to the gentleman from Illinois.

Mr. CLINGMAN. I submit this point of order to the gentleman: I would like to have those questions propounded to the different candidates in order—one at a time—before we are troubled or embarrassed with any other questions. I hope all the candidates will answer this series first, and before going to new matter.

Mr. ZOLLICOFFER. Inasmuch as it seems to give satisfaction to the gentlemen of the House that these questions should be put to each of the gentlemen who have been voted for for Speaker, I certainly have no objection to that course, inasmuch as the gentleman from Illinois, [Mr. RICHARDSON,] to whom I propounded the questions, has already answered.

Mr. RUST. I want to appeal to the gentleman's sense of fairness, to know whether he wants to consume the time of the House in raising new questions, and thereby prevent the other candidates from answering?

Mr. ZOLLICOFFER. I had wished to put these interrogatories to the gentleman from Illinois, [Mr. RICHARDSON,] and then, if gentlemen desire it, they may put the same questions to other members who have been voted for as Speaker. I see no impropriety in that. It seems to be right and just that I should be permitted now to state the reason why I put these interrogatories.

Mr. CLINGMAN, (interrupting.) I make this point of order, and the Clerk must decide it, that the gentleman from Tennessee [Mr. ZOLLICOFFER] is not entitled to occupy the floor at this time. We are now acting under a resolution of the House requiring candidates for office—meaning, of course, as we all understand, for the speakership—to answer interrogatories propounded by the gentleman from Tennessee, and now answered by the gentleman from Illinois, [Mr. RICHARDSON,] I make the point that it is not in order for the gentleman to go into debate

here until we shall have got through with this proceeding in which we are engaged; which is, that all the candidates for speakership shall answer these interrogatories. I wish to have this point decided.

Mr. WASHBURN, of Maine. I suggest that every candidate should answer *all* the questions propounded before they are submitted to another candidate. The gentleman from Illinois [Mr. RICHARDSON] has answered only a portion of the interrogatories put to him; and I therefore suggest that each candidate shall answer all the interrogatories.

Mr. ZOLLICOFFER. Am I entitled, Mr. Clerk, to make this single remark?

Mr. CLINGMAN. I object, sir, to all debate until the Clerk shall have decided the point of order raised.

Mr. RICHARDSON, [to Mr. WASHBURN, of Maine.] I would state to the gentleman from Maine that I have answered all the questions submitted to me.

Mr. WASHBURN. I understand that the gentleman from Tennessee [Mr. ZOLLICOFFER] directly submitted this question to the gentleman from Illinois—[Loud cries of "Order! order!"]

Mr. McMULLIN. I submit that the gentleman from Maine [Mr. WASHBURN] is not in order.

The CLERK. The Clerk must state that the gentleman from Maine is not in order.

Mr. GREENWOOD. I suggest that the interrogatories which have just been answered by the gentleman from Illinois [Mr. RICHARDSON] be read to the gentleman from Pennsylvania, [Mr. FULLER,] and answered by him before we proceed to any other business.

A MEMBER suggested the name of Mr. BANKS.

Mr. GREENWOOD. Yes; let them first be read, and submitted to the gentleman from Massachusetts, [Mr. BANKS.]

Mr. ZOLLICOFFER. I ask, Mr. Clerk, whether or not I am entitled to the floor?

The CLERK. The Clerk would state to the gentleman from Tennessee [Mr. ZOLLICOFFER] and to the House, that he conceives the gentleman from Tennessee to be in order, as he is proposing to speak to what is substantially a new proposition; and therefore, in the opinion of the Clerk, he has a right to the floor. But the Clerk would remind the gentleman that his time has very nearly expired.

Mr. ZOLLICOFFER. Then I trust that gentlemen will not interrupt me. I am willing to content myself with merely sending to the Clerk's desk, and having read, the record of the gentleman from Illinois [Mr. RICHARDSON] on which the questions I propounded to him were predicated.

A MEMBER. Have it printed in your speech.

Mr. CRAIGE. I object to any printed speech.

Mr. CLINGMAN. I renew my objection. I am perfectly willing that the gentleman from Tennessee may make his commentaries on the speech of the gentleman from Illinois, after all the other candidates have answered the interrogatories, but not till then.

The CLERK. The Clerk will submit the question to the House.

Mr. ORR. I submit to the gentleman from Tennessee to decline for the present making any

commentary on the answers of the gentleman from Illinois, until the other candidates for the speakership have answered them also.

Mr. WASHBURN, of Maine. I wish to say this— [Loud cries of "Order!"]

Mr. ZOLLICOFFER. I am a very deferential man, Mr. Clerk; I am disposed to be courteous, fair, and entirely satisfactory to the House. I am, therefore, willing to defer for the present what I wished to say, if gentlemen so wish. [Cries of "That is right!"] I would state, for the further satisfaction of the House, that I was merely desirous of showing that I had put no idle interrogatory—

Mr. CLINGMAN, (interrupting.) I desire the Clerk to decide the point of order submitted by me.

The CLERK. The Clerk will submit the question to the House.

Mr. CLINGMAN. Then I object to the gentleman from Tennessee proceeding until the point of order shall have been decided.

Mr. ZOLLICOFFER, [to Mr. CLINGMAN.] The Clerk has decided the point of order, sir.

Mr. CLINGMAN. No, sir, he has not.

The CLERK. The gentleman from North Carolina [Mr. CLINGMAN] raises a new point of order, which the Clerk submits to the House. The question is, whether the gentleman from Tennessee is in order in addressing the House?

Mr. ZOLLICOFFER, (interrupting.) I shall content myself by merely stating the chapter and page of the Appendix to the Congressional Globe from which—

Mr. CLINGMAN. I object, Mr. Clerk, to the gentleman from Tennessee proceeding in this way until the point of order shall have been decided.

Mr. ZOLLICOFFER. I repeat that I—

The CLERK. The gentleman from Tennessee will come to order. [Loud cries of "Order!" "Order!" and much confusion throughout the Hall.]

Mr. CLINGMAN. I wish to have this question decided.

The CLERK. The Clerk submits the question to the House whether the gentleman from Tennessee is in order?

The question was taken.

The CLERK. The Clerk thinks that the ayes have it.

Several MEMBERS. Tellers on that question.

Mr. WASHBURN, of Illinois. Will the Clerk please state the question that the House is to decide? There is so much confusion in the Hall that we over here cannot understand the question.

The CLERK. The question is, whether the gentleman from Tennessee [Mr. ZOLLICOFFER] is in order.

Mr. STEPHENS. I desire, before I vote, to know what the question is before the House, on which the gentleman from Tennessee claims the floor?

The CLERK. The propositions put by the gentleman from Tennessee to the gentleman from Illinois are now before the House.

Mr. STEPHENS. I do not understand that there is any question pending before the House.

Mr. CLINGMAN. Certainly not.

Mr. STEPHENS. As I understand the question, the gentleman from Tennessee, availing

himself yesterday of the courtesy of the House, made a ten-minute speech, and propounded certain questions to the gentleman from Illinois. The gentleman from Illinois, this morning, by unanimous courtesy of the House, made responses to those questions. I do not understand that there is now any pending question before the House, on which any gentleman can have the floor.

A MEMBER. There is a question of order.

Mr. HUMPHREY MARSHALL. I understood that in the answers to the interrogatories made by the gentleman from Illinois, he had made some remarks which called out the gentleman from Tennessee in a personal explanation of his course—

Mr. McMULLIN, (interrupting.) The gentleman from Tennessee did not put it on that ground.

Several MEMBERS. Yes, he did.

Mr. MARSHALL. I think he did put it on that ground.

Mr. CLINGMAN, (interrupting.) As I understand that the gentleman from Tennessee is willing to postpone his question until all the candidates have answered the interrogatories, as answered by the gentleman from Illinois, I withdraw my point of order. That is all that I want.

The CLERK. The gentleman from North Carolina [Mr. CLINGMAN] withdraws his point of order; but the Clerk would remind the gentleman from Tennessee, and the House, that another point of order has been raised—

Mr. ZOLLICOFFER, (interrupting.) Well, sir, when interrupted by the gentleman from North Carolina, [Mr. CLINGMAN], I had proposed to make no running commentary on the answers of the gentleman from Illinois. I ask no advantage. I am willing to postpone my commentaries till another time. But I desire merely to show that the interrogatories which I propounded to the gentleman from Illinois were not idle or impertinent, but were based upon the record. I now merely want to cite that record, and I was in the act of doing so when the gentleman from North Carolina interrupted me. It is to be found in the Appendix to the Congressional Globe for 1854. [Loud cries of "Read it!"]

Mr. CLINGMAN. I object to the gentleman making any citation.

Mr. COBB, of Alabama. Oh, let it go out. Who's afraid of it? [Laughter.]

Mr. RICHARDSON, [to Mr. ZOLLICOFFER.] That is the same speech that I read from.

Mr. ZOLLICOFFER. Now I am willing that the same questions as answered by the gentleman from Illinois, shall be propounded to the other gentlemen who are candidates for the speakership.

The CLERK, [to Mr. STEPHENS.] Does the gentleman from Georgia insist on his point of order?

Mr. STEPHENS. I do.

The CLERK. The gentleman from Georgia [Mr. STEPHENS] raises the question that there is no question before the House. It would be well, therefore, before the proceedings go any further, that the series of questions should be formally ordered to be put to the other gentlemen.

Mr. STEPHENS. I insist upon my point of order. Call the roll, and if gentlemen wish to speak, they can do so by the courtesy of the House.

Mr. BOYCE. I move that we now hear the other candidates.

Mr. MILLSON. If necessary to bring the matter regularly before the House, I will move to amend the ten-minute rule, by striking out ten and substituting twelve minutes.

The CLERK. Such a motion would bring the matter properly before the House.

Mr. JONES, of Tennessee. I do not understand the resolution adopted yesterday by this House as being an order that each candidate for the speakership shall answer the interrogatories. If the other candidates of the respective parties are in the House, and desire or are willing to answer, I presume the House will hear them. But if they are unwilling to answer, it is not within the province of the House to call on them for a response. I understand that the two other candidates for Speaker—the Know Nothing or American candidate, and the Republican candidate—were both furnished with copies of the interrogatories propounded by the gentleman from Tennessee [Mr. ZOLLICOFFER] to the gentleman from Illinois, [Mr. RICHARDSON.] Now, if they are ready to respond, I presume the House will hear them; but if they prefer not to answer, there is no power here to coerce them.

Mr. BARKSDALE. I move now that the questions propounded by the gentleman from South Carolina, [Mr. Boyce,] some time since, be produced, and that the gentleman from Massachusetts [Mr. Banks] be requested to answer them.

Several MEMBERS. Oh, no! and cries of "Order!"

Mr. BARKSDALE. Well, I move that he be invited to answer. [Cries of dissent, and confusion.]

Mr. WASHBURN, of Maine. I would suggest that none of the other candidates answer. It is not fair to call upon them to answer until the gentleman from Illinois has answered all the questions which have been propounded to him. The gentleman from Ohio [Mr. BINGHAM] has propounded several questions which he has not answered. [Cries of "Order!"]

Mr. LETCHER. I am very glad the gentleman from Maine has become in favor of candidates answering questions. I thought, yesterday, he was opposed to all answering. [Cries of "Order!" and confusion.]

Mr. BARKSDALE. I am entitled to the floor.

The CLERK. It is impossible to proceed, unless gentlemen take their seats and preserve order.

Mr. McMULLIN. I am entitled to the floor. [Cries of "Order!" and confusion.]

The CLERK. The Clerk again appeals to gentlemen to take their seats and preserve order. He did recognize the gentleman from Virginia, [Mr. McMULLIN,] supposing the gentleman from Mississippi had taken his seat.

Mr. BARKSDALE. No, sir; I did not yield the floor.

Mr. McMULLIN. I understood the gentleman from Mississippi to take his seat, and I rose and addressed the Clerk, and was recognized by him. I insist that I am entitled to the floor.

Mr. BANKS rose.

Mr. KEITT. I would suggest to the gentle-

man from Virginia, and the gentleman from Mississippi, that both of them yield the floor, and allow the gentleman from Massachusetts [Mr. Banks] to speak. I understand he is ready to respond to the interrogatories put by the gentleman from Tennessee, [Mr. ZOLLICOFFER.]

Mr. McMULLIN. I think I am clearly entitled to the floor, but I will give way in favor of the gentleman from Massachusetts, if he desires to address the House.

Mr. BANKS. I do not wish to take the floor from the gentleman from Virginia, or any one, for that purpose.

Mr. McMULLIN. I understand that the same questions that have been answered by the gentleman from Illinois have been furnished to the gentleman from Massachusetts, and also to the gentleman from Pennsylvania; and that those gentlemen are ready to answer. I yield the floor for that purpose.

Mr. BANKS. Mr. Clerk, I voted for the resolution presented by the honorable gentleman from Tennessee [Mr. ZOLLICOFFER] yesterday with pleasure. It embodies a principle which I think sound. As understood by me, when reported at the Clerk's desk, it was nothing more nor less than simply this: that any gentleman who votes for a candidate for any office ought to know the opinions of that candidate. I recognize the right of every gentleman in this House who has been voting for Speaker during this protracted contest, to ascertain the opinions of any man for whom he casts his vote. Sir, I should claim it as my right to know the opinions of my candidate to such an extent as should be satisfactory to myself, at least.

But, sir, as a member of the House, I have other rights. I offer myself as a candidate for no office; I solicit no man's suffrage; and I am not, therefore, called upon as a candidate to solve such difficulties as gentlemen supporting other persons may find in the existing condition of public affairs. Those who have honored me by their confidence and votes are themselves responsible for the course they have chosen, and, I doubt not, they are able to meet that responsibility. It is not for me to provide for their defense. I can only say, as Othello said of his wife, they "had eyes, and chose me."

I have convictions—convictions of duty, convictions of principle—upon the great matters in which the country is interested; and, as a member of the House, representing a district in the Commonwealth of Massachusetts, I have no hesitation in responding to any of the inquiries propounded by the honorable gentleman from Tennessee to the honorable gentleman from Illinois. I ask the Clerk to read the first question.

The Clerk read as follows:

"Am I right in supposing that the gentleman from Illinois regards the Kansas-Nebraska bill as promotive of the formation of free States in the Territories of Kansas and Nebraska?"

Mr. BANKS. It will be understood, of course, that the phraseology of this inquiry applies rather to the gentleman from Illinois [Mr. RICHARDSON] than to myself. I answer, distinctly, that I do not regard the Kansas-Nebraska bill as promotive of the formation of free States, inasmuch as it repeals the prohibition of the institution of slavery over the section of country to which that

statute applies. I think it does not tend to the formation of free States. That is my answer.

The Clerk read as follows:

"Am I right in supposing he advocates the constitutionality of the Wilmot proviso; that in 1850 he opposed its application to the territories acquired from Mexico, only upon the ground that it was unnecessary, inasmuch as the Mexican local laws in those territories already abolished slavery—which ought to be sufficient for all Free-Soil men; and that he committed himself to the position, that if territorial bills (silent upon the subject of slavery, and leaving the Mexican law to operate) were defeated, he would vote for bills with the Wilmot proviso in them?"

Mr. BANKS. I could give a general answer in the affirmative to that interrogatory. I believe in the constitutionality of that act which is known and generally understood as the Wilmot proviso. I believe that it is within the power of Congress to prohibit the institution of slavery in a Territory belonging to the United States. Whether I would advocate the passage of such an act in regard to a territory where it was clearly unnecessary, where by local, preëxisting laws it had been prohibited, or, in other words, whether I would advocate a double inhibition, I have only to say, that, if a doubt existed as to its exclusion by valid municipal law, I should sustain an act which embodied the prohibition known as the Wilmot or Jefferson proviso. In regard to the measures of 1850, I can only say, that, being called upon here or elsewhere, I should have voted for the prohibition in the territories covered by those measures, if I had entertained a doubt as to the exclusion of slavery by existing municipal law. That is my answer.

The Clerk read as follows:

"Am I right in supposing that his theory is, that the Constitution of the United States does not carry slavery to, and protect it in, the Territories of the United States?"

Mr. BANKS. I do not believe that the Constitution of the United States carries the institution of slavery to the Territories of the United States. My understanding is based on the declaration of Mr. Webster, that even the Constitution of the United States itself does not go to the Territories until it is carried there by an act of Congress. Standing on the principle of the English law governing the same interests, I do not believe that the Constitution of the United States carries to any Territory of the United States any right to hold slaves there.

In order, sir, that my answer should be full and satisfactory, I ought, perhaps, to put the negative of the proposition of the distinguished gentleman who leads the Government party on this floor, and in this crisis. I recognize the right, sir, to protection of property on the part of the South, as well as on the part of the North, in the Territories of the United States; and when I speak of property I mean that which is considered property by universal law; I do not mean that which is property only because it is held as such under the laws of a particular State, and which loses its character of property so soon as it extends beyond the limits of that State, except under certain reservations covered by the Constitution of the United States. When I speak of property, I do not refer to that species. I describe that which is recognized as property by universal laws of men, and not that which is property only when it is made such by local laws of limited sections of the country. I have no disposition to disturb its existence—no purpose to diminish or increase

it there. I will acknowledge all its rights there, accepting for that purpose the charts established by southern statesmen; but I deny that it is such property as, independent of local law or congressional enactment, is protected by the Constitution in the Territories of the United States.

I have nothing further to say on this very nice and delicate question. I believe that the Constitution of the United States was intended to do justice to all sections of the country—to the South equally with the North. I am for that to-day; and I adopt the language of my friend, [Mr. RICHARDSON,] who has always treated me with distinguished courtesy in all discussions on this subject, that we should do justice to the South as well as to the North. In no speech or declaration that has fallen from my lips, so far as I can remember it, have I ever expressed a different sentiment; out, sir, I cannot shut out from my memory the great fact that the Constitution of the United States is an instrument of freedom, contemplated as such by its framers, and interpreted as such by all men of the South and the North until within the last few years. It is a chart of freedom, established to secure the blessings of liberty to ourselves and our posterity, giving liberty to the States to do what they shall think to be proper within their own localities, under such circumstances as to them shall seem to be right and just, but claiming no right and conceding no right to them to carry their own peculiar institutions beyond the limitations conferred by the doctrine of the sovereignty of States.

No, sir! The Constitution of the United States is an instrument, not of immediate, but of ultimate and universal freedom. It was so contemplated by the great men who framed it; and the world has so regarded it. The national flag, that is its symbol, that makes the land over which it floats, in whatever quarter of the globe, so long as it covers an American citizen, American territory, is the banner of ultimate and universal liberty—its white and red folds symbols of Revolutionary trials, of the crests of victory, and the blood of sacrifice. May its starry union forever stand as lustrous and imperishable as the golden fires of God's firmament! [Great applause.] That is my answer to that question.

The Clerk read as follows:

"That in the territory acquired from Mexico and France (including Kansas and Nebraska) the Missouri restriction was necessary to make the territory free, because slavery existed there under France at the time of the acquisition, but that the Kansas and Nebraska bill, which repeals that restriction, but neither legislates slavery into those Territories nor excludes it therefrom, in his opinion, leaves those Territories without either local or constitutional law protecting slavery; and that therefore the Kansas and Nebraska bill promotes the formation of slave States in Kansas and Nebraska?"

Mr. BANKS. I did not see that question, Mr. Clerk, until it was brought to me by a page from the desk. It is but a repetition of the first interrogatory, with the addition of a statement of fact. In regard to that statement, I will say that it is debated whether the institution of slavery existed in these Territories at the time they were acquired. Without going into the question whether France, by the decree of 1794, abolished it there, I will say that, if it were necessary that the Congress of the United States should interdict it in those Territories in order to make them free, I think that Congress was right in doing it. If it

were necessary, in order to give to the South the right to carry slavery there, that the interdiction of 1820 should be removed, I think that the Congress of 1853 was wrong in making that repeal; and I cannot, sir, but say, with the light that has come to me upon this question, that the interdiction of 1820 forbade and abolished slavery, if it existed there; that the repeal of that prohibition in 1853, inasmuch as it allowed slavery to go there under certain possible circumstances, was an act not promotive of the formation of free States. That, sir, is my answer to that question.

Mr. BARKSDALE. I wish to put some interrogatories to the gentleman from Massachusetts.

Mr. ORR. I appeal to the gentleman from Mississippi to withhold his questions for the present, until the gentleman from Pennsylvania has answered the questions, and then he can propound them.

Mr. BARKSDALE. With the understanding that these questions are to be asked as soon as the gentleman from Pennsylvania has answered the interrogatories of the gentleman from Tennessee, I yield the floor to the gentleman from Pennsylvania, but I give notice that I shall claim it again when he has done.

Mr. FULLER, of Pennsylvania. **Mr. Clerk,** I voted for the resolution offered by the gentleman from Tennessee [**Mr. ZOLLICOFFER**] yesterday, because I cordially approve of the principle embodied in that resolution. Early in the session I felt it a duty, in justice to myself and to those with whom I had been acting, to declare the opinions I entertained and the course of action I should pursue upon certain questions of public policy. I desire to say now, sir, what I believe is known to the majority—if not to all—of those who have honored me with their confidence, that I have been ready at any and all times to withdraw my name from this protracted canvass. I have felt unwilling to stand, or to appear to stand, in the way of any fair organization of this body.

In answer to the specific interrogatories here presented, I say that I do not regard the Kansas and Nebraska bill as promotive of the formation of free States; and I will further say, sir, that I do not believe that it is promotive of the formation of slave States. [Cries of "Good!"] The second interrogatory relates to the constitutionality of the Wilmot proviso. I was not a member of the Congress of 1850, and have never been called upon to affirm or deny the constitutionality of the Wilmot proviso.

I have never assumed the position, that "if territorial bills (silent upon the subject of slavery, and leaving the Mexican laws to operate) were defeated, he [I] would vote for a bill with the Wilmot proviso in it." That question relates to the legislative action of the distinguished gentleman from Illinois, [**Mr. RICHARDSON**]. My political existence commenced since that flood. [Laughter.] I was not a member of that Congress, and having never taken any public position upon that subject heretofore, I am willing, in all frankness and candor, to do so now; and I do so with great deference and respect for those distinguished men who, in times past, have entertained and expressed different opinions. Public history informs us that slavery existed before the Constitution, and, in my judgment, now exists independent of the Constitution. When

the people of the confederated States met, by their representatives in convention, to form that Constitution, slavery existed in all but one of the States of the Confederacy. The people, through their representatives, having an existing and acknowledged right to hold slaves, conceded this—the right to prohibit importation—after the year 1808. They made no cession, so far as regarded the existence of domestic slavery. They claimed—and it was granted—the right of reclamation in case of escape. They claimed—and it was granted—the right of representation as an element of political power. And I hold, in the absence of express authority, that Congress has no constitutional right to legislate upon the subject of slavery. [Applause.] I hold that the Territories are the common property of all the States, and that the people of all the States have a common right to enter upon and occupy those Territories, and they are protected in that occupation by the flag of our common country; that Congress has no constitutional power either to legislate slavery into, or exclude it from, a Territory. Neither has the Territorial Legislature, in my judgment, any right to legislate upon that subject, except so far as it may be necessary to protect the citizens of the Territory in the enjoyment of their property, and that in pursuance of its organic law, as established by congressional legislation. When the citizens of the Territory shall apply for admission into the Union, they may determine for themselves the character of their institutions, (by their State constitution;) and it is their right then to declare whether they will tolerate slavery or not, and, thus fairly deciding for themselves, should be admitted into the Union as States without reference to the subject of slavery. The Constitution was formed by the people of the States for purposes of mutual advantage and protection. The States are sovereignities, limited only so far as they have surrendered their powers to the General Government. The General Government, thus created and limited, acts with certain positive, defined, and clearly ascertained powers. Its legislation and administration should be controlled by the Constitution; and it cannot justly employ its powers thus delegated to impair or destroy any existing or vested rights belonging to the people of any of the States.

Mr. HUMPHREY MARSHALL suggested that the gentleman from New Jersey had been voted for, and that he, too, should be heard upon these interrogatories. [Laughter. Cries of "Call the roll!" and "Pennyngton!" in the midst of much confusion.]

Mr. BARKSDALE obtained the floor at the moment **Mr. PENNINGTON** addressed the Chair.

The **CLERK.** Will the gentleman from Mississippi yield to the gentleman from New Jersey?

Mr. BARKSDALE. I yield to **Mr. PENNINGTON**.

Mr. PENNINGTON. **Mr. Clerk,** my friend from Kentucky [**Mr. MARSHALL**] takes me entirely by surprise. I certainly could have had no expectation, when I came to the Hall to-day, that any gentleman would think of calling for a response to the interrogatories propounded yesterday by the honorable gentleman from Tennessee [**Mr. ZOLLICOFFER**] from a candidate so

obscure and unpromising as myself. [Laughter.] Why, sir, he should recollect that I am wholly out of the *triangle*—this political *pons asinorum*, over which the very ingenious and accommodating body of gentlemen around me, with the aid of the most skillful of engineers, have been fruitlessly struggling to effect a safe passage for the last five weeks. [Bursts of laughter.] I thought I could discover in the merry twinkle of my friend's eye, as he called for my response, the triumphant anticipation of a capital joke at my expense; but I am not to be caught so easily, I assure him. If, indeed, he could have entrapped me into a serious exposition of my political principles, for this occasion, with no better show of success than my little band of six or seven, he might well have boasted of the best joke of the season. [Renewed laughter.] It was the great Napoleon, I believe, who said, "there is but one step from the sublime to the ridiculous." With a lively disposition to extend every reasonable accommodation to my friend, I must beg leave to decline most respectfully to take that particular step just now. [Laughter.]

Besides, sir, I have not been served with the interrogatories! [Laughter.] I believe it was understood yesterday that the candidates who were expected to answer were to be served with copies of the catechism; and it would seem that all the triangular candidates have been duly served, and have thus had ample opportunity to prepare their responses, while no such respect has been paid to your humble servant. [Laughter.] I must enter my solemn protest against being taken at such disadvantage, and under such circumstances. I appeal to every high-minded gentleman to say whether I am not bound by a proper self-respect to assume a dignified reserve?

But to be serious, Mr. Clerk, I propose to avail myself of this occasion to say to the House and the country what I should have been glad to have said long ago, if a fit opportunity had been presented to do so, in explanation of the part which I have borne in this contest. The position which I have been made to occupy has been, to me, for some time past, extremely irksome, and, in some degree, involuntary. Though apparently a candidate, it is well known to my more intimate friends, and to many, if not most, of the members of the House, that I am not such in the proper sense of that term. I have had, from the first, no aspiration for the office of Speaker; but, on the contrary, have shrunk, with unfeigned self-distrust, from the difficulties and responsibilities of the position. At the commencement of the session, in view of the peculiar elements constituting the present House, since so clearly developed, I yielded a reluctant consent to the use of my name in this connection upon the urgent solicitations of friends, both here and elsewhere, in whose judgment and disinterested patriotism I have reason to confide, with no purpose, either on their part or on mine, other than to facilitate the organization. I assert no claim to such an elevation. I have solicited no support. I have no desire to obstruct, nor will I for a moment allow myself to stand in the way of, an adjustment of the difficulties which surround us. I feel sure that every gentleman here will do me the justice to say, whatever injurious insinuations to the contrary may have found their way into the

public prints, that I am in no measure, beyond any other member of this body, responsible for that delay in our action which has excited the just indignation and disgust of the country. I am ready to coöperate in any effort that may promise to relieve us from our embarrassment. The public business is suffering from the obstinate pursuit, on all sides, of a contest which as yet holds no promise of victory to either, but only continued disadvantage to the public interests.

Sir, I am heartily tired of this fruitless struggle; and attaching less consequence to the choice which we shall make than many of those around me, I am prepared, after so much delay and difficulty, to cast my vote for any gentleman, on any side of this House, whose election may be effected by such aid. From the first moment of the session I have been anxious for the organization. I have not been, by any means, particular in my choice among the candidates in opposition to the Administration. On the first three trials I voted successively for the gentleman from Ohio, Pennsylvania, and Massachusetts, [Messrs. CAMPBELL, FULLER, and BAXKS,] indicating, at the outset, my willingness to contribute to the election of either of those gentlemen. The gentleman from Ohio [Mr. CAMPBELL] knows—for he had the amplest assurances to that effect—that my vote and those of my colleagues were at his command at any moment when they would have secured his election, up to the time of his withdrawal from the contest. He asked no complimentary votes, and was satisfied to wait for ours till they could render him a more substantial service. I deem this a proper occasion to say, not only that he was my first choice, but that I was, and still am, of opinion that he was eminently entitled to this honor by the distinguished ability and unwavering fidelity with which he had served his party and his country.

After his withdrawal, (an act as graceful as it was honorable and self-sacrificing,) I declined the offer of a large body of friends to press my name upon the attention of the House. I gave way to the gentleman from Massachusetts, [Mr. BAXKS,] and, at the first moment when it seemed practicable to elect him, my vote and those of my colleagues were cast in his support; and from that moment to this we have ever been ready to contribute to that result. It is true that the gentleman from Massachusetts was, for many reasons, unacceptable to us, and that much has been said and done in the progress of this contest, on the part of his friends, (for which, however, we do not hold him responsible,) calculated to alienate us from his support. It is true that we have not concurred with our judgments, though we have by our votes, in the pertinacious effort which has been made to elect that gentleman; nor have we been willing to take the gentleman from Illinois [Mr. RICHARDSON] as the only alternative to the gentleman from Massachusetts—a line of policy which has been urged upon the Opposition in this body with a dogmatism only equalled by its absurdity, and the malignant spirit which dictates it. The rule of conduct adopted, in this respect, by my colleagues and myself was adopted also by all who were originally my friends, and we have been found united for more than a month, contrary to our convictions of sound policy, in an effort, as yet un-

availing and inauspicious, to elect the gentleman from Massachusetts.

In the mean time, while my name has remained in nomination, the votes of six gentlemen, not originally my friends, and having now, as I presume, no special preference for me, but unwilling to vote for the gentleman from Massachusetts for reasons satisfactory to themselves, upon their own representative responsibility, have been concentrated upon me in good faith; and it seems to be well understood that no one of these gentlemen can be brought to the aid of the gentleman from Massachusetts, though I should promptly decline their support.

Under this state of facts, it is suggested that I should decline; and telegraphic dispatches have been transmitted in every direction to create a public impression that I am an obstacle to the organization, and, by thus placing me in a false position, to constrain me to a course of action which does not commend itself to my convictions of duty or honor, with a design, as it seems to me, not so much to promote the election of the gentleman from Massachusetts as to embarrass those who have thus honored me, and, in my name, held out to the friends of that gentleman the olive branch of conciliation and peace.

Sir, I need no suggestion from any quarter to press on me considerations of public duty or personal interest in relation to this or any other subject. I have not been quite so passive a spectator of this contest as to have been inattentive to such considerations. I need no monitor to remind me of my duty or my interests; least of all, such a monitor as has set himself up to instruct the members of this House in the line of their duty, and to hold it in awe by the lash of a powerful press. I am the keeper of my own honor, and I shall judge for myself, fearless of open denunciations or covert insinuations, come from what quarter they may, what my obligations are to myself, to my constituents, and to my country. And I have now to say, once for all, that whenever it shall appear to me that the continuance of my name in nomination shall have even a tendency to delay the organization, I shall without a moment's hesitation, ask my colleague who placed it there to withdraw it. It will cost me no sacrifice to do so; for, if I had ever indulged any desire for success, I have long ceased to look upon it as probable, or even practicable. Till then I shall continue to occupy the position which I have maintained hitherto, from the beginning of the contest. I shall, in that event, be enabled to present to those gentlemen who have thus concentrated their votes upon me, a reason for declining their support, the force of which, I doubt not, they will be among the first to appreciate. In the absence of such a reason, I should be guilty of a gross dereliction of honor and good faith, and unworthy the respect of my peers in this body, if I were thus contemptuously to shake the dust of my feet in the faces of those gentlemen. It has been intimated that I might purchase position in this House and before the country by withdrawing my name from the contest. Sir, I ask no position, in the House or elsewhere, to which I am not justly entitled. I wish to earn for myself no factitious importance; least of all, to do so at the expense of my own self-respect, and the sacrifice of my own honor.

Now, sir, I pass to the matter of the interrogatories. I have not read them. I have heard them read but indistinctly at the Clerk's table. They involve, if I correctly understand their general tenor, questions of grave importance, demanding for a response deliberate consideration. Of course I could not be expected now to respond to them; and I am free to say that, had I examined them, I could not, under present circumstances, be induced to trouble the House with any reply. It will be time enough for me seriously to consider the propriety of answering these, or any other interrogatories, when there shall appear to be a more general purpose seriously entertained to use my name in this contest.

Sir, I am no party to the contract implied by the resolution of the gentleman from Tennessee, and the vote which has been given in support of it. I voted to lay the resolution on the table, and, that failing, I voted squarely against its adoption. I am, therefore, in no measure responsible for its passage, nor in any degree committed to the line of conduct which it indicates. I agree most fully to the general principle affirmed by the resolution; but, as I view it, that principle has no applicability to the business now before the House. The Speaker of this body is selected to preside over its deliberations, to conduct its proceedings, and to preserve order and decorum—functions which in no respect involve any political principle. They involve the principles of personal integrity, impartiality, and capacity, and, on these points, I have only to say, that, if the general tenor of my life and conversation, open to all men, and my intercourse with the members of this House, do not afford sufficient guarantees in these respects, they are as free to reject as they are to elect.

It may be said, Mr. Clerk, that the Speaker has in his power the appointment of the committees of the House. This may or may not be so. There is no existing law, rule, or resolution, which vests this authority in that officer. When we shall have elevated to the chair any honorable member of this body to preside over its deliberations—when we shall have committed to such member the preservation of order and decorum, the proper time will have arrived to determine whether his character and principles be such as to justify us in intrusting to him so important and responsible a power.

But, sir, if it were true, that by any existing regulation the Speaker would *ex officio* possess the power to appoint the committees, or it be contemplated, according to established usage, to vest that power in him, I do not see how the principle enunciated by the resolution could have any proper relation to the selection of that officer. The duty of the Speaker, in the appointment of committees, is fixed by a well-defined, though too often disregarded, principle of parliamentary law. He would be bound by that principle, and ought, and doubtless would be required, under the pain of removal, whatever might be his individual opinions or personal preferences, to constitute the standing committees upon the various branches of the public service in conformity to the ascertained sentiments of a majority of the House. It is a rule of parliamentary law, equally well defined—though this, too, has been too frequently disregarded—that select or special committees are to be constituted of a majority at

least of the friends of the measure referred to them, however odious it may be to the House or to its presiding officer. I confess, therefore, that with these views I cannot see the necessity or propriety of instituting an inquisition into the peculiar political opinions of candidates, especially with such extreme nicety as characterizes the points made by the interrogatories of the gentleman from Tennessee. It seems to me that enough ought to be known of any gentleman, fit for such a position, without subjecting him to the humiliation of submitting himself to be questioned and cross-questioned in this Hall as to all the minute points and phases of his political principles, and that, too, with all the little chicanery of the bar-room and the hustings. For myself, sir, I am satisfied to be judged, and to stand or fall, by my past political life, and the record which I have made in the public service; to which I beg leave to refer the inquisitive.

I will make no pledge, subject myself to no test, submit to no condition or humiliation to insure success.

And now, sir, not desiring further to occupy the attention of the House, I have only to say again that, in my position and with my views, I most respectfully decline to be put through the catechism.

In conclusion, Mr. Clerk, I may illustrate my position by the point of an anecdote of boyhood days. It is now Saturday afternoon, and there are doubtless around me many who, with me, will associate, while life lasts, with that time vivid recollections of the delectable exercises in the smaller and larger catechism wherewith we were initiated into the rudiments of the Westminster Confession of Faith. I remember on one of these occasions to have been seated by a vagrish youngster, who, upon being called up and asked what progress he had made in his catechism, very naively replied, that he had got beyond "effectual calling." [Roars of laughter.]

Mr. BARKSDALE. The interrogatories, Mr. Clerk, which I propose to put to the gentleman from Massachusetts, [Mr. BARKS.] I intend for all the gentlemen who are candidates for the speakership; and, in order that the House and the gentleman to whom they are propounded may understand them, I will now read them:

Are you now a member of the American or Know Nothing party?

Are you in favor of abolishing slavery in the District of Columbia, the United States forts, dock-yards, &c.?

Do you believe in the equality of the white and black races in the United States; and do you wish to promote that equality by legislation?

Are you in favor of the entire exclusion of adopted citizens and Roman Catholics from office?

Do you favor the same modification—and this question I intend particularly for the gentleman from Massachusetts, [Mr. BARKS.]—of the tariff now which you did at the last session of Congress?

Mr. BINGHAM. I insist that, before any more interrogatories are put, those which I have propounded be answered.

The CLERK. Does the gentleman from Mississippi withdraw his interrogatories for the present?

Mr. BARKSDALE. No, sir.

Mr. RICHARDSON took the floor.

The CLERK. Does the gentleman from Mississippi yield to the gentleman from Illinois?

Mr. BARKSDALE. I do, sir.

Mr. RICHARDSON. I wish to answer the questions propounded.

Mr. KENNETT, (interrupting.) I ask whether it is in order to put one or two more interrogatories in addition to those propounded by the gentleman from Mississippi? I should like to know of each candidate for the speakership, including my friend from New Jersey, [Mr. PENNINGTON,] whether he believes in a future state or not? [Laughter.] And then, provided he answers that question affirmatively, I desire to know whether he believes it will be a tree or a slave state? [Roars of laughter.]

Mr. BARKSDALE. I would say to the gentleman from Missouri [Mr. KENNETT] that, if he intends by that interrogatory to cast any reflection upon me, either directly or indirectly—[excitement, and cries of "No! no!"]—I hurl it back with all the scorn, derision, and contempt which its insolence and impudence so justly merits. [Loud cries of "Order!" "Order!"]

Mr. CAMPBELL, of Ohio. I call the gentleman to order.

Mr. BARKSDALE. Sir, he has no right to call me to order; and I demand by what right he calls me to order? [Continued cries of "Order!" and much confusion in the Hall.]

Mr. CAMPBELL. I again call the gentleman [Mr. BARKSDALE] to order.

Mr. GROW. I move that the House do now adjourn.

Mr. KENNETT. I have only to remark, Mr. Clerk, that the tenor of my questions must have been misunderstood by the House, if it thinks they were designed to reflect on the gentleman from Mississippi, [Mr. BARKSDALE.] They were intended good-naturedly. And I have to say further, that no gentleman in this House or out of it need expect to intimidate me, or to insult me in this manner. I have made all the apology, Mr. Clerk, that I intend to make. That apology was made to the House. I did not intend my remarks to be understood in any but a joanlar way; but I consider, at the same time, that the remarks made by the gentleman [Mr. BARKSDALE] about Americanism fully justify me in putting such a query. [Cries of "Good!" "Call the roll!"]

The CLERK. Does the gentleman from Pennsylvania insist on his motion to adjourn?

Mr. GROW. I do, sir.

Mr. LETCHER. The gentleman from Illinois [Mr. RICHARDSON] is on the floor. Let us hear what he has to say.

The Clerk put the question on adjournment, and the motion was not agreed to.

Mr. RICHARDSON. I have received a copy of the inquiries propounded by the gentleman from Ohio, [Mr. BINGHAM.] I have looked over these interrogatories, and it seems to me that I have answered them substantially, with the exception of the first and fifth. I refer that gentleman, therefore, to the remarks submitted by me this morning, for my answer to his questions, with the exception of those I have indicated. The first inquiry is:

"Do you hold that the Constitution of the United States extends to, and is of full force within the several Territories thereof?"

In reply to this interrogatory I have to say that I do recognize the Constitution of the United States as extending over the Territories, so far as it is applicable to their condition. That is my answer to the first.

The fifth is in the following language:

"Do you hold that, under the Constitution, a person held to service or labor within said Territory, escaping therefrom into any State in this Union, can be reclaimed under the fugitive-slave law; or is such person within the extradition clause of the second section of the fourth article of the Constitution?"

In reply to this I have to say that, by the express terms of the bill organizing the Territories of Kansas and Nebraska, and other Territories organized subsequent to the passage of the fugitive-slave law, that law goes into operation in those Territories.

Now, sir, as to the other interrogatories propounded by the gentleman from Mississippi, [Mr. BARKSDALE,] I have to say that I belong to no Know Nothing or American organization. I belong to no secret political organization.

I am opposed to the abolition of slavery in the District of Columbia. I am opposed to interference with it in the dock-yards, or any place else, by the Congress of the United States.

I believe that the Almighty made the negro inferior to the white man. I do not believe you can place them upon an equality, unless you bring down the white man to his level; and I am opposed to that.

In reply to the freections inquiries of my friend from Missouri, [Mr. KENNETT,] I have to say I am sometimes afraid that, in that future state in which I believe, he, myself, and some of our associates here, will not be free. [Laughter.]

Mr. KENNETT. I am very glad, Mr. Clerk, that the gentleman from Illinois [Mr. RICHARDSON] is getting a little anxious about his condition, as well as that of other members of the House. I think he has great cause. [Laughter.]

Mr. RICHARDSON. I am very anxious, not only in reference to myself, but in relation to my friend from Missouri. But, sir, I am informed that I omitted one of the questions propounded by the gentleman from Mississippi, [Mr. BARKSDALE,] in relation to Catholics and adopted citizens.

Sir, I do not know, nor care, what a man's religious opinions may be. I would as soon support a Catholic for office as a man professing any other religion, provided he was qualified, and his political sentiments corresponded with my own. I think, sir, in reference to this Government of ours, that our only safety, or at least, that our greatest safety, upon this subject of religion, is in carrying out the policy never to carry our religion into politics, and never carry our politics to church. They are distinct and separate—matters, so. A Catholic is as much entitled to protection in this country as those of any other religion. I have no prejudice against the Catholics, nor have I against foreigners. I voted, the last time I voted, in my own State, for an adopted citizen, and I expect to vote for them in future as often as they are presented, provided they are qualified.

Mr. BINGHAM. The honorable gentleman from Illinois [Mr. RICHARDSON] has stated to the House that he has answered all of my questions except the second fifth. I beg leave to ask that

gentleman whether, in his remarks, he has given any reply to my second, third, fourth, and sixth interrogatories; and will the gentleman respond to those questions?

Mr. RICHARDSON. In reply to the gentleman from Ohio, I have to say that I substantially responded to his interrogatory this morning.

Mr. BINGHAM. In what way has the gentleman answered the second, third, fourth, and sixth questions which I had the honor to submit to him?

Mr. RICHARDSON. I said, in my remarks this morning, that, in my opinion, the people of a Territory have the right either to establish or prohibit African slavery. I think that is an answer to the gentleman's question.

Mr. BINGHAM. Does the gentleman mean to be understood as saying that the people of the Territory of Kansas can, by territorial enactment, establish or prohibit African slavery therein?

Mr. RICHARDSON. I do not wish to single out a particular instance.

Mr. BINGHAM. Mr. Clerk, I submit to the House that the honorable gentleman from Illinois has not answered my several interrogatories, either directly or indirectly, and I insist upon full and explicit answers thereto.

Mr. COBB, of Georgia. I object to those interrogatories. The answers of the gentleman from Illinois and of other gentlemen have been given, and have gone to the country. The country will determine whether the questions of the gentleman from Ohio [Mr. BINGHAM] have been answered. It is not for any gentleman here to rise and propound verbal questions. I objected to it when it came from the gentleman from Mississippi, [Mr. BARKSDALE,] and I object now when it comes from another quarter. I insist upon pursuing the regular course laid out this morning, and which we have pursued. I repeat, the answers of the gentleman from Illinois have gone to the country, and the country will judge of their pertinence.

Mr. BINGHAM. If the questions have not been answered, how will the country judge? I have put no question to the gentleman which was not reduced to writing by me.

Mr. COBB. The questions, with the answers, have gone to the country, and it will be for the country to determine whether they are pertinent or not.

Mr. STANTON. That certainly is sufficient. I think that ought to be satisfactory to my colleague. [Mr. BINGHAM.]

Mr. BINGHAM. I submitted, in writing, a series of questions, as authorized by the resolution of the House. Some of those questions have not been answered. They were respectfully and properly submitted, and I have a right to insist upon an answer to them.

Mr. COBB. I call to order, the gentleman from Ohio is out of order.

Mr. BINGHAM. The resolution passed by the House yesterday authorized these interrogatories to be put to gentlemen, and the resolution implied, if it meant anything, that the questions should be answered.

Mr. COBB. I call to order. I insist that it shall be answered.

The CLERK. No order was made by the House in the matter; but it was agreed that com-